IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 4232 of 2007

DATE OF DECISION: 20.03.2007

Jai Kishan ....Petitioner

Versus

State of Haryana and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr. MS. Dahiya, Advocate
for the petitioner,

J.S. Khehar, J. (oral)

Through the instant writ petition, the petitioner desires the issuance of a writ in the nature of certiorari so as to quash the order dated 23.10.2006 (Annexure P2), whereby the respondents have declined to provide for a Primary Health Centre at village Israna. The impugned order records the following reasons, for declining the claim of the petitioner:-

> "i. The Panipat is an industrial town located on National Highway No.1. Due to industrialisation, this township is surrounded by Sub-Urban area where large number of industrial labour and other poor people live. No Community Health Centre is functioning within a radius of 10-12 KMs near Panipat for avoiding primary and referral health care services to the people. Thus, in order to provide better

health cover by establishing specialized medical facilities, it was felt necessary to upgrade Primary Health Centre to Community Health Centre of Naultha.

ii. That at Naultha, Primary Health Centre is already functioning in a Govt. building. Necessary staff is available as per norms and medical equipments are also available whereas such facilities are not available at Israna. Further the distance between Naultha and Israna is just 5 KMs."

The aforesaid issues, taken into consideration for denying the claim of the petitioner, have been controverted by the learned counsel for the petitioner, on the basis of pleadings in the writ petition.

In view of the above, we are satisfied, that the reasons indicated in the impugned order must be taken to be true. In the background of the reasons recorded in the impugned order dated 21.12.2006 (Annexure P4) we are satisfied, that the action of the respondents, in declining to provide for a Primary Health Centre in village Israna, is fully justified.

Dismissed.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

March 20, 2007.
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